

## Remarks

In the present response, claims 1-6 and 8-11 are presented for examination.

### Claim Rejections: 35 USC § 102(e)

Claims 1 and 8-10 are rejected under 35 USC § 102(e) as being anticipated US publication number 2003/0187908 (Boucher). These rejections are traversed.

Claims 1 and 8-10 recite one or more elements not taught or even suggested in Boucher. Some examples are provided for independent claim 1.

As one example, independent claim 1 recites receiving a device command from a first host for a data transfer operation to a storage device. The claim then recites preventing other hosts from interfering with the data transfer operation between the first host and the storage device during a reservation time period. By contrast, Boucher teaches giving customers priority based on what level of service the customer has paid for, has earned, or has been assigned (see Boucher at paragraph [0032]). Nowhere does Boucher teach that other customers are preventing from interfering with a data transfer operation between one customer and a storage device during a reservation time period set for the one customer.

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed (see *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985)). For at least these reasons, claims 1 and 8-10 are not anticipated by Boucher.

As another example, claim 1 recites setting a reservation time period for expiration of a reservation of a storage device. The examiner argues that Boucher teaches this element in paragraphs [0038 – 0039]. Applicant respectfully disagrees.

Paragraphs [0038 – 0039] discuss a task priority table for customers having a particular service level. For example, a higher priority is given to Gold customers than to Bronze customers. Paragraph [0038] states that the task priority tables can be expanded by adding indices such as time of day. Notice, however, that Boucher never discusses reservation time period for expiration of a reservation of a storage device. Expiration of a reservation is never discussed or even suggested.

For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference (see *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)). For at least these reasons, claims 1 and 8-10 are not anticipated by Boucher.

As yet another example, claim 1 recites that the reservation time period is determined based on a command type of the device command. By contrast, Boucher teaches a customer tag that includes customer identification, customer level of service, and system identification. The command type of the customer tag does not determine the reservation time period. Instead, the customer level service in the customer tag corresponds to the task priority tables which, as noted above, do not include reservation time periods.

Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention united in the same way (see *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444 (Fed. Cir. 1984)). For at least these reasons, claims 1 and 8-10 are not anticipated by Boucher.

#### **Claim Rejections: 35 USC § 103(a)**

Claims 2 and 11 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2003/0187908 (Boucher) in view of Ahmad H Tawil (Tawil). Claims 3-6 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2003/0187908 (Boucher) in view of US publication number 2003/0005130 (Cheng). These rejections are traversed.

As explained above, Boucher fails to teach or suggest all of the elements of independent claim 1. Tawil and Chang fail to cure these deficiencies. Thus for at least the reasons given with respect to independent claim 1, dependent claims 2, 3-6, and 11 are allowable over Boucher in view of Tawil and Cheng.

### **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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